

**U.S. District Court  
Northern District of Texas (Amarillo)  
CIVIL DOCKET FOR CASE #: 2:15-cv-00236-J**

Terra Partners et al v. Ag Acceptance Corporation  
Assigned to: Judge Mary Lou Robinson  
Case in other court: New Mexico, 1:14-cv-01112  
Cause: 28:1441 Petition for Removal- Declaratory Judgemen

Date Filed: 07/27/2015  
Jury Demand: None  
Nature of Suit: 290 Real Property: All Other  
Real Property  
Jurisdiction: Diversity

**Plaintiff**

**Terra Partners**

represented by **Justin Bert Breen**  
Keleher & McLeod PA  
PO Box AA  
Albuquerque, NM 87103  
505-346-4646  
Fax: 505-346-1370  
Email: jbb@keleher-law.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Jeffrey Alan Dahl**  
Keleher & McLeod PA  
PO Box AA  
Albuquerque, NM 87103  
505-346-4646  
Fax: 505-346-1370  
Email: jad@keleher-law.com  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Philip R Russ**  
Law Office of Philip R Russ  
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Suite 1200  
Amarillo, TX 79109  
806/358-9293  
Fax: 806/358-9296 FAX  
Email: philipruss@ruslawfirm.com  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Plaintiff**

**Terra XXI Ltd**

represented by **Justin Bert Breen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Jeffrey Alan Dahl**  
(See above for address)

*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Philip R Russ**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Plaintiff**

**Robert Wayne Veigel**

represented by **Justin Bert Breen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Jeffrey Alan Dahl**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Philip R Russ**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Plaintiff**

**Ella Marie Williams Veigel**

represented by **Justin Bert Breen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Jeffrey Alan Dahl**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Philip R Russ**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Plaintiff**

**Veigel Farms Inc**

represented by **Justin Bert Breen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Jeffrey Alan Dahl**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Philip R Russ**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Plaintiff**

**Veigel Cattle Company**

represented by **Justin Bert Breen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Jeffrey Alan Dahl**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Philip R Russ**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Plaintiff**

**Veigel Farm Partners**

represented by **Justin Bert Breen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Jeffrey Alan Dahl**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Philip R Russ**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

V.

**Defendant**

**Ag Acceptance Corporation**

represented by **Richard F Rowley , II**  
Rowley Law Firm LLC  
305 Pile  
PO Box 790  
Clovis, NM 88102-0790  
575/763-4457  
Fax: 575/763-4450  
Email: r2@rowleylawfirm.com  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Barbara Whiten Balliette**  
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1301 S Capital of Texas Hwy  
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Austin, TX 78746  
512/647-6100  
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Email: bballiette@rctlegal.com  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Thomas C Riney**  
Riney & Mayfield LLP  
320 S Polk St  
Suite 600  
Amarillo, TX 79101  
806/468-3201  
Fax: 806/376-4509 FAX  
Email: triney@rineymayfield.com  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Counter Claimant**

**Ag Acceptance Corporation**

represented by **Richard F Rowley, II**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Barbara Whiten Balliette**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Thomas C Riney**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

V.

**Counter Defendant**

**Terra Partners**

represented by **Justin Bert Breen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Jeffrey Alan Dahl**  
(See above for address)

*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Philip R Russ**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Counter Defendant**

**Terra XXI Ltd**

represented by **Justin Bert Breen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Jeffrey Alan Dahl**  
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*Bar Status: Admitted/In Good Standing*

**Philip R Russ**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Counter Defendant**

**Robert Wayne Veigel**

represented by **Justin Bert Breen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Jeffrey Alan Dahl**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Philip R Russ**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Counter Defendant**

**Veigel Cattle Company**

represented by **Justin Bert Breen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Jeffrey Alan Dahl**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Philip R Russ**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Counter Defendant**

**Veigel Farm Partners**

represented by **Justin Bert Breen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Jeffrey Alan Dahl**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Philip R Russ**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Counter Defendant**

**Veigel Farms Inc**

represented by **Justin Bert Breen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Jeffrey Alan Dahl**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Philip R Russ**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Counter Defendant**

**Ella Marie Williams Veigel**

represented by **Justin Bert Breen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Jeffrey Alan Dahl**  
(See above for address)  
*ATTORNEY TO BE NOTICED*  
*Bar Status: Admitted/In Good Standing*

**Philip R Russ**

(See above for address)  
**ATTORNEY TO BE NOTICED**  
*Bar Status: Admitted/In Good Standing*

Date Filed	#	Docket Text
12/08/2014	<u>I</u> <u>1</u>	NOTICE OF REMOVAL by Ag Acceptance Corporation from District Court of Quay County, case number D-1010-CV-2014-00079. ( Filing Fee – Online Payment) (Rowley, Richard) [Transferred from New Mexico on 7/27/2015.] (Entered: 12/08/2014)
12/08/2014	<u>I</u> <u>2</u>	APPENDIX/SUPPLEMENT TO NOTICE OF REMOVAL <u>1</u> by Ag Acceptance Corporation <i>Exhibits A and B</i> from District Court of Quay County, case number D-1010-CV-2014-00079. ( Filing Fee – Online Payment), filed by Ag Acceptance Corporation. (Attachments: # <u>1</u> Exhibit Exhibit A – Pg 32 – 45, # <u>2</u> Exhibit Exhibit B)(Rowley, Richard) Modified TEXT on 12/9/2014 (vv). [Transferred from New Mexico on 7/27/2015.] (Entered: 12/08/2014)
12/08/2014	<u>I</u>	Filing and Administrative Fees Received: \$ 400 receipt number 1084-3848364 re <u>2</u> Notice of Removal, filed by Ag Acceptance Corporation, <u>1</u> Notice of Removal filed by Ag Acceptance Corporation (Payment made via Pay.gov)(Rowley, Richard) [Transferred from New Mexico on 7/27/2015.] (Entered: 12/08/2014)
12/09/2014	<u>I</u> <u>3</u>	NOTICE by Ag Acceptance Corporation re <u>2</u> Notice of Removal, <u>1</u> Notice of Removal <i>Civil Cover Sheet</i> (Rowley, Richard) [Transferred from New Mexico on 7/27/2015.] (Entered: 12/09/2014)
12/09/2014	<u>I</u>	United States Magistrate Judge Carmen E. Garza and United States Magistrate Judge Kirtan Khalsa assigned. (ln) [Transferred from New Mexico on 7/27/2015.] (Entered: 12/09/2014)
12/09/2014	<u>I</u> <u>4</u>	PLEASE TAKE NOTICE that this case has been randomly assigned to United States Magistrate Judge Carmen E. Garza to conduct dispositive proceedings in this matter, including motions and trial. Appeal from a judgment entered by a Magistrate Judge will be to the United States Court of Appeals for the Tenth Circuit. <b>It is the responsibility of the case filer to serve a copy of this Notice upon all parties with the summons and complaint. Consent is strictly voluntary, and a party is free to withhold consent without adverse consequences. Should a party choose to consent, notice should be made no later than 21 days after entry of the Order setting the Rule 16 Initial Scheduling Conference.</b> For e-filers, visit our Web site at <a href="http://www.nmcourt.fed.us">www.nmcourt.fed.us</a> for more information and instructions. <a href="#">[THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.]</a> (ln) [Transferred from New Mexico on 7/27/2015.] (Entered: 12/09/2014)
12/10/2014	<u>I</u> <u>5</u>	ASSOCIATION of Attorney Licensed Outside the District for Defendant Ag Acceptance Corporation by Barbara Balliette (Association Dues – Online Payment) (Balliette, Barbara) <a href="#">[THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.]</a> [Transferred from New Mexico on 7/27/2015.] (Entered: 12/10/2014)
12/10/2014	<u>I</u>	Association Dues Received: \$ 100 receipt number 1084-3850454 re: # <u>5</u> Association of Attorney Licensed Outside the District, filed by Ag Acceptance Corporation (Payment made via Pay.gov)(Balliette, Barbara) [Transferred from New Mexico on 7/27/2015.] (Entered: 12/10/2014)
12/15/2014	<u>I</u> <u>6</u>	ASSOCIATION of Attorney Licensed Outside the District for Defendant Ag Acceptance Corporation by Richard F. Rowley, II on behalf of: Barbara Whiten Balliette Reid Collins &Tasi LLP 1301 S. Capital of Texas Hwy. C-300

		<p>Austin, Texas 78746  512-647-6100  Fax 512-647-6129  bballiette@rctlegal.com  (Association Dues – Deliver Payment) (Rowley, Richard)  <a href="#">[THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.]</a> [Transferred from New Mexico on 7/27/2015.] (Entered: 12/15/2014)</p>
12/15/2014	<u>7</u>	<p>NOTICE by Ag Acceptance Corporation re <u>5</u> Association of Attorney Licensed Outside the District, <u>6</u> Association of Attorney Licensed Outside the District, Association Dues for Attorney Licensed Outside the District <i>Certificate of Compliance for Non-Member Attorneys</i> (Rowley, Richard) [Transferred from New Mexico on 7/27/2015.] (Entered: 12/15/2014)</p>
12/15/2014	<u>8</u>	<p>ANSWER to Complaint (Notice of Removal) by Ag Acceptance Corporation. (Attachments: # <u>1</u> Exhibit Exhibit A)(Rowley, Richard) [Transferred from New Mexico on 7/27/2015.] (Entered: 12/15/2014)</p>
12/18/2014	<u>9</u>	<p>Opposed MOTION to Transfer Case by Ag Acceptance Corporation. (Attachments: # <u>1</u> Exhibit A – B)(Balliette, Barbara) [Transferred from New Mexico on 7/27/2015.] (Entered: 12/18/2014)</p>
12/22/2014	<u>10</u>	<p>NOTICE OF CONSENT SUBMISSION DEADLINE: Pursuant to Fed. R. Civ. P. 73(b)(2), the parties are reminded that a magistrate judge was assigned as the trial judge in this matter under 28 U.S.C. 636(c). The parties are advised that the Clerk will reassign this matter to a district judge as the trial judge no later than <b>10 days</b> from the entry of this notice unless consents from all parties have been filed. The parties are free to withhold consent. <i>If you have already entered your consent, you need not resubmit.</i> (mm) [Transferred from New Mexico on 7/27/2015.] (Entered: 12/22/2014)</p>
12/29/2014	<u>12</u>	<p>NOTICE by Terra Partners, Terra XXI, Ltd., Robert Wayne Veigel, Veigel Cattle Company, Veigel Farm Partners, Veigel Farms, Inc., Ella Marie Williams Veigel re <u>9</u> Opposed MOTION to Transfer Case <i>Notice of Extension of Response Deadline</i> (Breen, Justin) [Transferred from New Mexico on 7/27/2015.] (Entered: 12/29/2014)</p>
12/30/2014	<u>13</u>	<p>Transmittal of State Court Documents by Ag Acceptance Corporation (Rowley, Richard) [Transferred from New Mexico on 7/27/2015.] (Entered: 12/30/2014)</p>
12/30/2014	<u>14</u>	<p>APPENDIX/SUPPLEMENT re <u>13</u> Transmittal State Court Documents <i>Exhibit A, Pages 1 – 40</i> by Ag Acceptance Corporation (Rowley, Richard) [Transferred from New Mexico on 7/27/2015.] (Entered: 12/30/2014)</p>
12/30/2014	<u>15</u>	<p>APPENDIX/SUPPLEMENT re <u>13</u> Transmittal State Court Documents, <u>14</u> Appendix/Supplement <i>Exhibit A, Pages 41 – 71</i> by Ag Acceptance Corporation (Rowley, Richard) [Transferred from New Mexico on 7/27/2015.] (Entered: 12/30/2014)</p>
12/30/2014	<u>16</u>	<p>APPENDIX/SUPPLEMENT re <u>13</u> Transmittal State Court Documents, <u>14</u> Appendix/Supplement, <u>15</u> Appendix/Supplement <i>Exhibit A, Pages 72 – 96</i> by Ag Acceptance Corporation (Rowley, Richard) [Transferred from New Mexico on 7/27/2015.] (Entered: 12/30/2014)</p>
12/30/2014	<u>17</u>	<p>APPENDIX/SUPPLEMENT re <u>16</u> Appendix/Supplement, <u>13</u> Transmittal State Court Documents, <u>14</u> Appendix/Supplement, <u>15</u> Appendix/Supplement, <u>12</u> Notice (Other), <i>Exhibit A, Pages 97 – 104</i> by Ag Acceptance Corporation (Rowley, Richard) [Transferred from New Mexico on 7/27/2015.] (Entered: 12/30/2014)</p>
01/05/2015	<u>18</u>	<p>PLEASE TAKE NOTICE that this case has been reassigned to District Judge Judith C. Herrera as the trial judge.</p>



		<p>Under D.N.M.LR–Civ. 10.1, the first page of each document must have the case file number and initials of the assigned judges.</p> <p><b><i>Accordingly, further documents filed in this matter must bear the case number and the judges' initials shown in the case caption and the NEF for this document.</i></b> Kindly reflect this change in your filings.</p> <p>Magistrate Judge Carmen E. Garza no longer assigned to this case.  <a href="#">[THIS IS A TEXT–ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.]</a> (ln) [Transferred from New Mexico on 7/27/2015.] (Entered: 01/05/2015)</p>
01/07/2015	<u>19</u>	<p>NOTICE REGARDING DOCUMENT ENTRIES: Because this case has been reassigned to a district judge, please be advised that any documents filed by the parties under Rule 73(b) have been permanently removed from the docket. Document(s) removed: No. 11.  <a href="#">[THIS IS A TEXT–ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.]</a> (dc) [Transferred from New Mexico on 7/27/2015.] (Entered: 01/07/2015)</p>
01/14/2015	<u>20</u>	<p>RESPONSE in Opposition re <u>9</u> Opposed MOTION to Transfer Case filed by Terra Partners, Terra XXI, Ltd., Robert Wayne Veigel, Veigel Cattle Company, Veigel Farm Partners, Veigel Farms, Inc., Ella Marie Williams Veigel. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Breen, Justin) [Transferred from New Mexico on 7/27/2015.] (Entered: 01/14/2015)</p>
01/28/2015	<u>21</u>	<p>REPLY to Response to Motion re <u>9</u> Opposed MOTION to Transfer Case filed by Ag Acceptance Corporation. (Attachments: # <u>1</u> Exhibit A)(Balliet, Barbara) [Transferred from New Mexico on 7/27/2015.] (Entered: 01/28/2015)</p>
03/02/2015	<u>22</u>	<p>NOTICE of Briefing Complete by All Plaintiffs re <u>9</u> Opposed MOTION to Transfer Case filed by Ag Acceptance Corporation (Breen, Justin) [Transferred from New Mexico on 7/27/2015.] (Entered: 03/02/2015)</p>
07/24/2015	<u>23</u>	<p>MEMORANDUM OPINION AND ORDER by District Judge Judith C. Herrera granting <u>9</u> Defendant's Opposed Motion to Transfer Case. The Clerk of the Court is hereby ordered to transfer this case to the United States District Court for the Northern District of Texas, Amarillo Division (baw) [Transferred from New Mexico on 7/27/2015.] (Entered: 07/24/2015)</p>
07/27/2015	<u>24</u>	<p>Case electronically transferred in from District of New Mexico, Albuquerque Division; Case Number 1:14–cv–01112. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas should seek admission promptly. Forms, instructions, and exemption information may be found at <a href="http://www.txnd.uscourts.gov">www.txnd.uscourts.gov</a>, or by clicking here: <a href="#">Attorney Information – Bar Membership</a>. If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. Copy of NEF to be sent US Mail to parties not electronically noticed. (Entered: 07/27/2015)</p>
07/27/2015	<u>25</u>	<p>New Case Notes: A filing fee has been paid. File to Judge Robinson. Pursuant to Misc. Order 6, Plaintiff is provided the Notice of Right to Consent to Proceed Before A U.S. Magistrate Judge. Clerk to provide copy to plaintiff if not received electronically. (nxm) (Entered: 07/27/2015)</p>
07/28/2015	<u>26</u>	<p>ORIGINAL RULE 16 SCHEDULING ORDER: Parties shall be ready for trial by 4/4/2016. Counsel shall file a joint report setting forth the status of settlement negotiations by 11/9/2015. Discovery due by 2/1/2016. Pretrial Materials (designation of expert witnesses) due by 10/5/2015 by parties seeking affirmative relief and due by 10/26/2015 by parties opposing affirmative relief. Joinder of Parties due by 9/14/2015. Amended Pleadings due by 1/25/2016. Motions for summary judgment due by 2/1/2016. All other motions except motions in limine due by 2/29/2016. Rule 26(a)(3) disclosures due by 3/21/2016. (Ordered by Judge Mary Lou Robinson on 7/28/2015) (djs) (Entered: 07/28/2015)</p>
08/04/2015	<u>27</u>	

		NOTICE of Attorney Appearance by Thomas C Riney on behalf of Ag Acceptance Corporation. (Filer confirms contact info in ECF is current.) (Riney, Thomas) (Entered: 08/04/2015)
08/12/2015	<u>28</u>	Unopposed MOTION to Extend Time filed by Terra Partners, Terra XXI Ltd, Robert Wayne Veigel, Veigel Cattle Company, Veigel Farm Partners, Veigel Farms Inc, Ella Marie Williams Veigel (Breen, Justin) (Entered: 08/12/2015)
08/14/2015	<u>29</u>	ORDER GRANTING REQUEST FOR ADDITIONAL TIME re <u>28</u> Unopposed MOTION to Extend Time. Plaintiffs' counsel have until August 31, 2015, to file a properly-supported application for admission to practice in the Northern District of Texas. (Ordered by Judge Mary Lou Robinson on 8/14/2015) (awc) (Entered: 08/14/2015)
08/24/2015	<u>30</u>	NOTICE of Attorney Appearance by Philip R Russ on behalf of Terra Partners, Terra XXI Ltd, Robert Wayne Veigel, Veigel Cattle Company, Veigel Farm Partners, Veigel Farms Inc, Ella Marie Williams Veigel. (Filer confirms contact info in ECF is current.) (Russ, Philip) (Entered: 08/24/2015)
08/28/2015	<u>31</u>	NOTICE of Attorney Appearance by Justin Bert Breen, Jeffrey Alan Dahl on behalf of Terra Partners, Terra XXI Ltd, Robert Wayne Veigel, Veigel Cattle Company, Veigel Farm Partners, Veigel Farms Inc, Ella Marie Williams Veigel. (Filer confirms contact info in ECF is current.) (Breen, Justin) Modified – added attorney name on 8/28/2015 (awc). (Entered: 08/28/2015)
08/28/2015	<u>32</u>	NOTICE of <i>Discovery Plan</i> filed by Ag Acceptance Corporation, Terra Partners, Terra XXI Ltd, Robert Wayne Veigel, Veigel Cattle Company, Veigel Farm Partners, Veigel Farms Inc, Ella Marie Williams Veigel (Breen, Justin) (Entered: 08/28/2015)
08/31/2015	<u>33</u>	CERTIFICATE OF SERVICE by Terra Partners, Terra XXI Ltd, Robert Wayne Veigel, Veigel Cattle Company, Veigel Farm Partners, Veigel Farms Inc, Ella Marie Williams Veigel [ <i>re Plaintiffs' Initial Disclosures</i> ] (Breen, Justin) (Entered: 08/31/2015)
09/17/2015	<u>34</u>	NOTICE of <i>Certificate of Service of Plaintiffs' First Requests For Production To Defendant</i> filed by Terra Partners, Terra XXI Ltd, Robert Wayne Veigel, Veigel Cattle Company, Veigel Farm Partners, Veigel Farms Inc, Ella Marie Williams Veigel (Breen, Justin) (Entered: 09/17/2015)
10/01/2015	<u>35</u>	NOTICE of <i>Response to Plaintiffs' Letter Submitted to Court by Email</i> filed by Ag Acceptance Corporation (Attachments: # <u>1</u> Exhibit(s) A – E) (Balliet, Barbara) (Entered: 10/01/2015)
10/05/2015	<u>36</u>	ORDER GRANTING LEAVE TO FILE: Before the Court is the Plaintiffs' putative motion wherein they request leave to file an amended complaint. That motion is granted as follows. Plaintiffs may file the motion for leave to amend, and that motion is granted. Plaintiffs are to promptly file the proposed amended complaint. (Ordered by Judge Mary Lou Robinson on 10/5/2015) (awc) (Entered: 10/05/2015)
10/05/2015	<u>37</u>	MOTION to Amend/Correct re <u>36</u> Order, <i>Motion For Leave To Amend Petition</i> filed by Terra Partners, Terra XXI Ltd, Robert Wayne Veigel, Veigel Cattle Company, Veigel Farm Partners, Veigel Farms Inc, Ella Marie Williams Veigel (Attachments: # <u>1</u> Exhibit(s) A) (Breen, Justin) Modified text on 10/5/2015 (awc). (Entered: 10/05/2015)
10/05/2015	<u>38</u>	AMENDED COMPLAINT <i>Amended Petition For Accounting, Claim For Unjust Enrichment, Imposition Of Constructive Trust, And Request For Declaratory Relief</i> against Ag Acceptance Corporation filed by Veigel Cattle Company, Robert Wayne Veigel, Veigel Farm Partners, Terra XXI Ltd, Terra Partners, Ella Marie Williams Veigel, Veigel Farms Inc. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at <a href="http://www.txnd.uscourts.gov">www.txnd.uscourts.gov</a> , or by clicking here: <a href="#">Attorney Information – Bar Membership</a> . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C, # <u>4</u> Exhibit(s) D, # <u>5</u>

		Exhibit(s) E, # <u>6</u> Exhibit(s) F, # <u>7</u> Exhibit(s) G) (Breen, Justin) (Entered: 10/05/2015)
10/16/2015	<u>39</u>	Motion to Dismiss for Failure to State a Claim filed by Ag Acceptance Corporation with Brief/Memorandum in Support. (Attachments: # <u>1</u> Affidavit(s) of Barbara Whiten Balliette, # <u>2</u> Exhibit(s) A to G) (Balliette, Barbara) (Entered: 10/16/2015)
10/22/2015	<u>40</u>	COUNTERCLAIM against All Plaintiffs filed by Ag Acceptance Corporation (Attachments: # <u>1</u> Exhibit(s) A) (Balliette, Barbara) (Entered: 10/22/2015)
10/26/2015	<u>41</u>	Designation of Experts by Ag Acceptance Corporation. (Balliette, Barbara) (Entered: 10/26/2015)
11/04/2015	<u>42</u>	ORDER GRANTING REQUEST FOR LEAVE TO FILE ANSWER: Plaintiffs' request for leave to file their original answer to the Defendant's counterclaim is granted as follows. Plaintiffs may electronically file their proposed original answer to the Defendant's original counterclaim. (Ordered by Judge Mary Lou Robinson on 11/4/2015) (awc) (Entered: 11/04/2015)
11/05/2015	<u>43</u>	ANSWER to Counterclaim filed by Terra Partners, Terra XXI Ltd, Robert Wayne Veigel, Veigel Cattle Company, Veigel Farm Partners, Veigel Farms Inc, Ella Marie Williams Veigel. Related document: <u>40</u> Counterclaim (Breen, Justin) (Entered: 11/05/2015)
11/09/2015	<u>44</u>	Joint STATUS REPORT <i>on Settlement Status</i> filed by Ag Acceptance Corporation, Terra Partners, Terra XXI Ltd, Robert Wayne Veigel, Veigel Cattle Company, Veigel Farm Partners, Veigel Farms Inc, Ella Marie Williams Veigel. (Breen, Justin) (Entered: 11/09/2015)
11/09/2015	<u>45</u>	ORDER GRANTING REQUEST FOR LEAVE TO FILE: Plaintiffs' request for leave to file their response to the Defendant's motion to dismiss is granted as follows. Plaintiffs may electronically file their proposed response, with memorandum in support, to the Defendant's motion to dismiss for failure to state a claim. (Ordered by Judge Mary Lou Robinson on 11/9/2015) (awc) (Entered: 11/09/2015)
11/09/2015	<u>46</u>	RESPONSE filed by Terra Partners, Terra XXI Ltd, Robert Wayne Veigel, Veigel Cattle Company, Veigel Farm Partners, Veigel Farms Inc, Ella Marie Williams Veigel re: <u>39</u> Motion to Dismiss for Failure to State a Claim (Breen, Justin) (Entered: 11/09/2015)
11/23/2015	<u>47</u>	<i>Defendant's</i> Pretrial Disclosures filed by Ag Acceptance Corporation. (Riney, Thomas) (Entered: 11/23/2015)
11/23/2015	<u>48</u>	REPLY filed by Ag Acceptance Corporation re: <u>39</u> Motion to Dismiss for Failure to State a Claim (Attachments: # <u>1</u> Exhibit(s) H) (Balliette, Barbara) (Entered: 11/23/2015)
01/25/2016	<u>49</u>	Unopposed MOTION for Leave to File Answer to Amended Petition filed by Ag Acceptance Corporation (Attachments: # <u>1</u> Proposed Amendment Proposed Answer to Amended Petition) (Balliette, Barbara) (Entered: 01/25/2016)
01/27/2016	<u>50</u>	ORDER granting <u>49</u> Unopposed Motion for Leave to File Amended Answer. Defendant may electronically file its proposed amended answer. (Ordered by Judge Mary Lou Robinson on 1/27/2016) (daa) (Entered: 01/27/2016)
01/27/2016	<u>51</u>	ANSWER to <u>38</u> Amended Complaint,,, filed by Ag Acceptance Corporation. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at <a href="http://www.txnd.uscourts.gov">www.txnd.uscourts.gov</a> , or by clicking here: <a href="#">Attorney Information – Bar Membership</a> . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Attachments: # <u>1</u> Exhibit(s) A) (Balliette, Barbara) (Entered: 01/27/2016)
01/29/2016	<u>52</u>	Unopposed MOTION to Extend Time to File Summary Judgment Motions filed by Ag Acceptance Corporation (Balliette, Barbara) (Entered: 01/29/2016)

02/05/2016	<u>53</u>	MOTION to Withdraw as Attorney filed by Terra Partners, Terra XXI Ltd, Robert Wayne Veigel, Veigel Cattle Company, Veigel Farm Partners, Veigel Farms Inc, Ella Marie Williams Veigel (Breen, Justin) (Entered: 02/05/2016)
02/05/2016	<u>54</u>	ORDER GRANTING REQUEST FOR EXTENSION re <u>52</u> Unopposed MOTION to Extend Time to File Summary Judgment Motions. The deadline by which Plaintiffs' and the Defendant may electronically file motions for summary judgment is February 8, 2016. (Ordered by Judge Mary Lou Robinson on 2/5/2016) (awc) (Entered: 02/05/2016)
02/05/2016	<u>55</u>	MOTION for Summary Judgment filed by Ag Acceptance Corporation (Balliette, Barbara) (Entered: 02/05/2016)
02/05/2016	<u>56</u>	Brief/Memorandum in Support filed by Ag Acceptance Corporation re <u>55</u> MOTION for Summary Judgment (Balliette, Barbara) (Entered: 02/05/2016)
02/05/2016	<u>57</u>	Appendix in Support filed by Ag Acceptance Corporation re <u>55</u> MOTION for Summary Judgment (Attachments: # <u>1</u> Exhibit(s) 1 and A-L) (Balliette, Barbara) (Entered: 02/05/2016)
02/08/2016	<u>58</u>	ORDER — Before the Court is the Plaintiffs' counsels' motion, filed February 5, 2016, for permission to withdraw as counsel of record for all of the Plaintiffs. Defendant is to promptly file a response to this motion. Plaintiffs are given twenty-one (21) days from the date of this Order to employ licensed counsel, and that corporate counsel is required to file an entry of appearance and/ or a motion for substitution of counsel within twenty-one (21) days of the date of the entry of this Order. After the appearance of new counsel, the Court will further rule upon the relief requested in this motion. (Ordered by Judge Mary Lou Robinson on 2/8/2016) (awc) (Entered: 02/08/2016)
02/26/2016	<u>59</u>	RESPONSE filed by Ag Acceptance Corporation re: <u>53</u> MOTION to Withdraw as Attorney (Attachments: # <u>1</u> Exhibit(s) A – E) (Balliette, Barbara) (Entered: 02/26/2016)
03/04/2016	<u>60</u>	MOTION to Stay re <u>55</u> MOTION for Summary Judgment , <u>53</u> MOTION to Withdraw as Attorney filed by Terra Partners, Terra XXI Ltd, Robert Wayne Veigel, Veigel Cattle Company, Veigel Farm Partners, Veigel Farms Inc, Ella Marie Williams Veigel (Breen, Justin) (Entered: 03/04/2016)
03/07/2016	<u>61</u>	REPLY filed by Terra Partners, Terra XXI Ltd, Robert Wayne Veigel, Veigel Cattle Company, Veigel Farm Partners, Veigel Farms Inc, Ella Marie Williams Veigel re: <u>53</u> MOTION to Withdraw as Attorney (Breen, Justin) (Entered: 03/07/2016)
03/18/2016	<u>62</u>	ORDER GRANTING REQUEST FOR LEAVE TO FILE — Plaintiffs Robert and Ella Veigel are permitted to file their response in opposition to Plaintiffs' counsel's motion for leave to withdraw. (Ordered by Judge Mary Lou Robinson on 3/18/2016) (awc) (Entered: 03/18/2016)
03/21/2016	<u>63</u>	<i>Defendant's Rule 26(a)(3)</i> Pretrial Disclosures filed by Ag Acceptance Corporation. (Attachments: # <u>1</u> Exhibit(s) 1 – Exhibit List) (Balliette, Barbara) (Entered: 03/21/2016)
03/21/2016	<u>64</u>	ORDER GRANTING REQUEST FOR LEAVE TO FILE: Plaintiffs Robert and Ella Veigel are permitted to file their motion for in camera review of protected attorney–client documents, which they seek to file in opposition to Plaintiffs' counsel's motion for leave to withdraw. (Ordered by Judge Mary Lou Robinson on 3/21/2016) (daa) (Entered: 03/21/2016)
03/23/2016	<u>65</u>	ORDER GRANTING REQUEST FOR LEAVE TO FILE OUT OF TIME <u>60</u> Motion to Stay. This motion is granted in part as follows. Plaintiffs' response to Defendant's summary judgment motion will be due fourteen (14) days after the Court rules upon Plaintiffs' counsels' motion for leave to withdraw. (Ordered by Judge Mary Lou Robinson on 3/23/2016) (epm) (Entered: 03/23/2016)
03/24/2016	<u>66</u>	

		ROBERT WAYNE AND ELLA MARIE VEIGEL'S MOTION FOR IN CAMERA REVIEW OF PROTECTED ATTORNEY-CLIENT DOCUMENTS filed by Robert Wayne Veigel (epm) (Entered: 03/24/2016)
03/24/2016	<u>67</u>	ROBERT WAYNE AND ELLA MARIE VEIGEL'S RESPONSE TO MOTION TO WITHDRDAW filed by Robert Wayne Veigel re: <u>53</u> MOTION to Withdraw as Attorney (epm) (Entered: 03/24/2016)
03/29/2016	<u>68</u>	NOTICE of <i>Request For In Camera Review Of Documents Provided In Support Of Reply To Robert Wayne and Ella Marie Viegel's Doc 67 and Request To File Reply To Doc 67 Under Seal</i> re: <u>67</u> Response/Objection filed by Terra Partners, Terra XXI Ltd, Robert Wayne Veigel, Veigel Cattle Company, Veigel Farm Partners, Veigel Farms Inc, Ella Marie Williams Veigel (Breen, Justin) (Entered: 03/29/2016)
03/31/2016	<u>69</u>	ORDER GRANTING REQUEST FOR LEAVE TO FILE: Plaintiffs' counsels' motion for leave to file under seal and to tender protected documents for in camera review is granted. (Ordered by Judge Mary Lou Robinson on 3/31/2016) (awc) (Entered: 03/31/2016)
04/21/2016	<u>70</u>	NOTICE of <i>Submittal Under Seal Of Keleher &amp; McLeod's Reply In Support Of Motion To Withdraw As Counsel For Plaintiffs</i> re: <u>67</u> Response/Objection filed by Terra Partners, Terra XXI Ltd, Robert Wayne Veigel, Veigel Cattle Company, Veigel Farm Partners, Veigel Farms Inc, Ella Marie Williams Veigel (Breen, Justin) (Entered: 04/21/2016)
06/15/2016	<u>71</u>	ORDER Denying Motion to Withdraw re: <u>53</u> Motion to Withdraw as Attorney. Plaintiffs' counsels' motion for leave to withdraw is denied. The Clerk is to mail two copies of this order to Robert Wayne and to Ella Marie Veigel at 105 Quince Street, Hereford, Texas 79045. (Ordered by Senior Judge Mary Lou Robinson on 6/15/2016) (awc) (Entered: 06/15/2016)
06/29/2016	<u>72</u>	RESPONSE filed by Terra Partners, Terra XXI Ltd, Robert Wayne Veigel, Veigel Cattle Company, Veigel Farm Partners, Veigel Farms Inc, Ella Marie Williams Veigel re: <u>55</u> MOTION for Summary Judgment (Breen, Justin) (Entered: 06/29/2016)
06/29/2016	<u>73</u>	Brief/Memorandum in Support filed by Terra Partners, Terra XXI Ltd, Robert Wayne Veigel, Veigel Cattle Company, Veigel Farm Partners, Veigel Farms Inc, Ella Marie Williams Veigel re <u>72</u> Response/Objection to AG Acceptance's Motion For Summary Judgment (Breen, Justin) (Entered: 06/29/2016)
06/29/2016	<u>74</u>	Appendix in Support filed by Terra Partners re <u>72</u> Response/Objection, <u>73</u> Brief/Memorandum in Support of Motion, <i>for Summary Judgment of Defendant</i> (Attachments: # <u>1</u> Exhibit(s) Ex A, # <u>2</u> Exhibit(s) Ex 1-1, # <u>3</u> Exhibit(s) Ex 1-2, # <u>4</u> Exhibit(s) Ex 2, # <u>5</u> Exhibit(s) Ex 3, # <u>6</u> Exhibit(s) Ex 4, # <u>7</u> Exhibit(s) Ex 5, # <u>8</u> Exhibit(s) Ex 6, # <u>9</u> Exhibit(s) Ex 7, # <u>10</u> Exhibit(s) Ex 8, # <u>11</u> Exhibit(s) Ex 9, # <u>12</u> Exhibit(s) Ex 10, # <u>13</u> Exhibit(s) Ex 11, # <u>14</u> Exhibit(s) Ex 12, # <u>15</u> Exhibit(s) Ex 13, # <u>16</u> Exhibit(s) Ex 14, # <u>17</u> Exhibit(s) Ex 15, # <u>18</u> Exhibit(s) Ex 16, # <u>19</u> Exhibit(s) Ex 17, # <u>20</u> Exhibit(s) Ex 18, # <u>21</u> Exhibit(s) Ex 19, # <u>22</u> Exhibit(s) Ex 20, # <u>23</u> Exhibit(s) Ex 21, # <u>24</u> Exhibit(s) Ex 22, # <u>25</u> Exhibit(s) Ex 23, # <u>26</u> Exhibit(s) Ex 24, # <u>27</u> Exhibit(s) Ex 25, # <u>28</u> Exhibit(s) Ex 26, # <u>29</u> Exhibit(s) Ex 27, # <u>30</u> Exhibit(s) Ex 28, # <u>31</u> Exhibit(s) Ex 29, # <u>32</u> Exhibit(s) Ex 30, # <u>33</u> Exhibit(s) Ex 31) (Breen, Justin) (Entered: 06/29/2016)
07/08/2016	<u>75</u>	Unopposed MOTION to Extend Time to File Reply in Support of Motion for Summary Judgment filed by Ag Acceptance Corporation (Attachments: # <u>1</u> Proposed Order) (Balliette, Barbara) (Entered: 07/08/2016)
07/13/2016	<u>76</u>	ORDER granting <u>75</u> Unopposed MOTION to Extend Time to File Reply in Support of Motion for Summary Judgment. IT IS ORDERED that the time for Defendant's reply in support of its motion for summary judgment is extended from July 13, 2016 to July 15, 2016. (Ordered by Senior Judge Mary Lou Robinson on 7/13/2016) (awc) (Entered: 07/13/2016)

07/15/2016	<u>77</u>	REPLY filed by Ag Acceptance Corporation re: <u>55</u> MOTION for Summary Judgment (Attachments: # <u>1</u> Exhibit(s) A – C) (Balliette, Barbara) (Entered: 07/15/2016)
09/08/2016	<u>78</u>	ORDER denying <u>55</u> Motion for Summary Judgment by AG Acceptance Corporation. (Ordered by Senior Judge Mary Lou Robinson on 9/8/2016) (daa) (Entered: 09/08/2016)
09/16/2016	<u>79</u>	Memorandum Opinion and Order granting <u>39</u> Motion to Dismiss for Failure to State a Claim filed by Ag Acceptance Corporation. (Ordered by Senior Judge Mary Lou Robinson on 9/16/2016) (daa) (Entered: 09/16/2016)
09/16/2016	<u>80</u>	PARTIAL FINAL JUDGMENT: It is therefore ORDERED, ADJUDGED and DECREED that Plaintiffs take nothing from the Defendant on Counts I, II and III of their first amended complaint, and It is FURTHER ORDERED, ADJUDGED and DECREED that all of the Plaintiffs' Texas state-law based claims and causes of action are hereby dismissed for failure to state a claim upon which relief can be granted; Order Transferring to Another District: Case transferred to Albuquerque Division of District of New Mexico. Claims asserted pursuant to New Mexico law, and specifically those pled in Count IV of the amended complaint, are hereby transferred to the federal court in New Mexico to which this case was removed from state court, for that court's consideration. (Ordered by Senior Judge Mary Lou Robinson on 9/16/2016) (daa) (Entered: 09/16/2016)